



# Area Planning Department For Vigo County

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Terre Haute • West Terre Haute • Riley • Seelyville

DATE: June 8, 2017

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER #24-17

CERTIFICATION DATE: June 7, 2017

TO: The Honorable Common Council of the City of Terre Haute

Dear Members,

The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 24-17. This Ordinance is a rezoning of the property located at 812 Oak Street. The Petitioner, Ricky D. Ward, petitions the Plan Commission to rezone said real estate from zoning classification R-2 and R-3 to R-3, General Residence District, for an apartment building. The Ordinance was published in the Tribune-Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance. Further, this ordinance was posted by the City Building Inspection Department in accordance with IC 36-7-4-604(c).

The Area Plan Commission considered Special Ordinance No. 24-17 at a public meeting and hearing held Wednesday, June 7, 2017. Remonstrators were not present. At this meeting, a quorum was present throughout the meeting pursuant to IC 36-7-4-301, and the Area Plan Commission took official action on Special Ordinance No. 24-17 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 24-17 as required by IC 36-7-4-401(a)(7) and IC 36-7-4-605(c).

Therefore, Area Plan Commission's certified recommendation on Special Ordinance No. 24-17 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1) A detailed Site Plan be approved by City Engineering; 2) Design esthetics be in keeping with the historic nature of the neighborhood for any new building.

A handwritten signature in black ink, appearing to read "Fred L. Wilson".  
Fred L. Wilson, PresidentA handwritten signature in black ink, appearing to read "Jared Bayler".  
Jared Bayler, Executive Director

Received this 8th day of June, 2017

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### APPLICATION INFORMATION

Petitioner: Ricky D. Ward

Owner: 7<sup>th</sup> St. LLC.

Representative: Same as Above

Proposed Use: Apartment building

Proposed Zoning: R-3, General Residence District

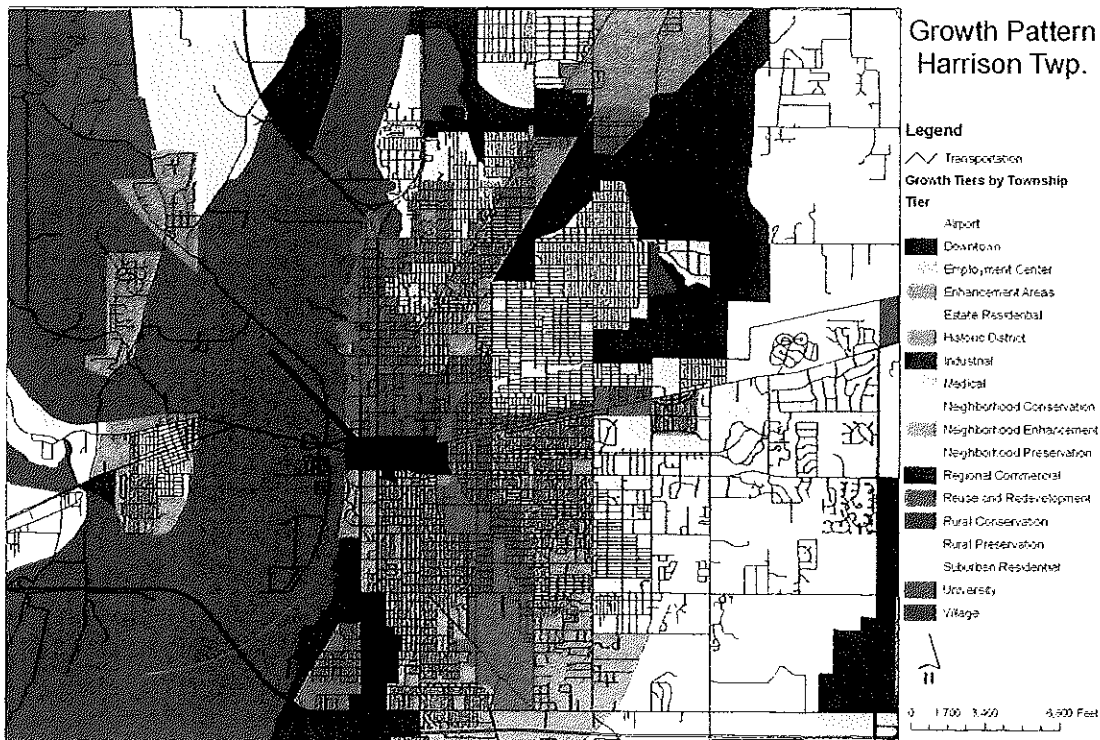
Current Zoning: R-2, Two-Family Residence District

Location: The property is located on the north east corner of Oak and 8<sup>th</sup> Streets.

Common Address: 812 Oak St., Terre Haute, IN 47807

### COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute



Guiding Policies: Historic District

### Historic Districts

Historic Districts are locations within the community that are important because of historic events, their architectural or cultural significance, or a connection to the lives of the people who lived there that should be protected and enhanced as an amenity to region. There are two types of historic districts:

- National Register Historic Districts. The National Register is a nation-wide list of buildings or areas certified by the Secretary of Interior as important architecturally, historically or culturally. Individual buildings and those in a district are eligible for Federal and Indiana tax credits for rehabilitation and tax reductions for easement donation. Listing a building on the National Register does not trigger local review of changes to the building unless the project is federally funded.
- Local Historic Districts. Local Historic Districts can be created by local ordinance, and are regulated by a historic district design standards in that ordinance. These standards vary from district to district and are developed by the neighborhood. “Certified” local historic districts have been determined to qualify for the National Register. These districts enjoy the same tax credit benefits as National Register districts.

Specific items to be utilized in identifying historic districts include:

- Buildings and structures within the district generally must be 50 years old.
- Many demolitions or new buildings have not altered it historic appearance.
- District resources should be similar in style, massing, detailing and/or date of construction.
- The buildings in the district must retail their original architectural character.
- The area must have clear and precise defined boundaries.

Street Access: 8<sup>th</sup> or Oak St. and an Alley off 8<sup>th</sup> St.

Dev. Priority: Reinvestment and rehabilitation are a high priority.

## ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – R-2, C-5  
**East** – R-2  
**South** – R-2, C-5  
**West** – C-2

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## ZONING REGULATIONS

R-3 Purpose: The General Residence District

R-3 Uses: Any use permitted in the R-1 and R-2 Districts, Apartment Hotels. Colleges and universities, but not business colleges or trade schools, Fraternal, philanthropic and charitable use or institutions, provided that not more than twenty-five percent (25%) of the gross floor area or four thousand (4,000) square feet shall be used as office space. Hospitals, sanitariums, and convalescent homes, Institutions for the aged and for children, Lodging Houses and Tourist Homes, Nursery Schools, Boarding, Private Clubs or Lodges - not operated for profit, provided that not more than twenty percent (20%) of the gross floor area or two thousand (2,000) square feet, whichever is greater, shall be used as office space, Apartment House.

R-3 Standards: Minimum Lot Size: N/A;  
FAR 0.50 % or 384 Square Feet per bed  
Street Setback: 55 feet from centerline;  
Rear setback 11';  
Interior setback of 5' from the interior lot line;  
A parking plan must be approved by the Engineering and Planning Departments.

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## FINDINGS and RECOMMENDATION

### Staff Findings:

The properties to be rezoned are Lots 31, 30 and the west portion of lot 28 (see legal description for more detail) of Fountaine's Addition. Lot 29 is already R-3. The petitioner in the future may desire to increase the number of available units at that location. The addition may mean additional buildings are required. The site plan submitted does not show any additional buildings to be

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constructed. Careful planning will need to occur to assure compliance with all City Ordinances.

A site plan review will need to occur and be approved by City Engineering. The detailed plan must assure the FAR (floor area ratios) are permissible for this location. Also, Table 4 Schedule of Minimum Off-Street Parking Requirements (Gen. Ord. No. 18, 2004, As Amended, 11-9-04) must be followed.

This location is in the Historic Farrington's Grove Neighborhood which extends as far east as 10<sup>th</sup> St. Design esthetics must be in keeping with the neighborhood.

Recommendation: Staff offers a Favorable Recommendation with the following condition.

1. A detailed site plan be approved by City Engineering
2. Design esthetics be in keeping with the historic nature of the neighborhood for any new building